

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

S.E. CLEMONS, INC.

and

**Cases 31-CA-127976
31-CA-130804**

**INTERNATIONAL ASSOCIATION OF
SHEET METAL, AIR, RAIL &
TRANSPORTATION WORKERS
LOCAL UNION 105**

ORDER¹

The petition to revoke subpoena duces tecum B-1-M6UNX7 filed by Petitioner Pacific Empire Builders, Inc. is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations.² Further, the Petitioner has failed to establish any other legal basis for revoking the subpoena. See generally, *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., July 14, 2015.

KENT Y. HIROZAWA,	MEMBER
HARRY I. JOHNSON, III,	MEMBER
LAUREN McFERRAN,	MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² The Petitioner's request that its petition to revoke be made part of the official record in this case is denied as premature, without prejudice to the Petitioner renewing this request if these investigative proceedings progress to the stage where an official record is created.